

Policies of the University of North Texas Health Science Center	Chapter 05 Human Resources
05.508 Drug-Free Workplace	

Policy Statement.

The University of North Texas Health Science Center is committed to providing safe and healthy work, teaching, learning and patient care environments. Therefore, the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance and the abuse of alcohol in the work place is expressly prohibited.

This policy applies to all employees and students of the health science center and they shall be notified of the provisions of the policy. All department chairs and supervisors of the institution are responsible for ensuring that the work place is free from illicit drug use and alcohol abuse. They shall also be responsible for the conformance by all employees and students with the provisions of this policy and all required procedures hereto.

Except as required by Federal Statute, drug testing of applicants, employees and students are not required by this policy.

This Drug-Free Work Place Policy is in addition to and not in lieu of any other health science center policy. The health science center reserves the right to take disciplinary action against employees and students regarding misconduct under this or other applicable policies of the health science center.

Application of Policy.

Faculty, Staff, and Students

Definitions.

1. Controlled substance is a substance included in Schedule I through Schedule V of Section 202 of the Controlled Substance Act and further defined by regulation 21 FCR 1300.11 through 1300.15.
2. Illicit drug is: (a) any drug, inhalant or chemical substance, the use, sale or possession of which is illegal under any State or Federal law, (b) one which is legally obtainable but has not been legally obtained. The term includes prescribed drugs legally obtained, but not being used for prescribed purposes.
3. Conviction is a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both by any judicial body charged with responsibility to determine violations of the Federal or State Criminal Drug Statutes.

4. Criminal drug statute means a Federal or non-Federal criminal statute involving the unlawful manufacture, distribution, dispensing, use or possession of any controlled substance.
5. Work place is any site for the performance of work for the health science center. This includes all buildings, grounds, vehicles, rental space, affiliated hospitals and locations of official health science center functions.
6. Employee is any person engaged in work for the health science center and receiving payment through the health science center payroll.
7. Student is any person enrolled in a course of study or attending classes at the Health Science Center.

Procedures and Responsibilities.

<u>Procedure / Duty</u>	<u>Responsible Party</u>
1. Awareness Program: The health science center will have a drug free awareness program that will inform employees and students of the following: <ol style="list-style-type: none"> a.) Standards of conduct that prohibit the unlawful manufacturing, distribution, dispensing, possession or use of illicit drugs or alcohol within the work place or health science center environment. b.) A description of the applicable legal sanctions under local, State and Federal law for the unlawful possession, use, or distribution of illicit drugs and alcohol. c.) A description of available drug counseling, rehabilitation, and assistance programs. d.) A statement that the institution will impose sanctions on employees and students for violations and a description of the penalties that may be imposed. e.) A description of the health risks associated with the use of illicit drugs and the abuse of alcohol. 	Human Resource Services
2. Individual Employee/Student Notification: Each UNTHSC-FW employee and student shall be given a copy of a publication delineating the awareness program described above. Each employee and student shall be notified that, as a condition of his/her employment or student status, they will:	Human Resource Services

- a.) Abide by the terms of this policy.
- b.) Notify the responsible Department Chairman, Supervisor, or Director of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.
- c.) The health science center shall notify the appropriate Federal agency within ten days after receiving a notification under item (b) above or otherwise receiving actual notice of such conviction if the individual was employed on a federal grant or a contract in excess of \$25,000.

3. **Penalties:** Upon notification that an employee or student has been convicted of any criminal drug statute conviction for a violation occurring in a work place, the health science center shall review the circumstances of the individual case and shall take appropriate action within 30 days of receiving notice. Should the health science center become aware of other drug or alcohol abuse violations in the work place not resulting in convictions, appropriate action shall be taken.

Human Resource
Services and
Employing
Department

- a.) Penalties for violations of this policy range from mandatory participation in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency to dismissal from the health science center. Each case will be determined separately on its merits.
- b.) If the offender is a faculty member, the procedures to be followed in determining penalties are those specified in the then current edition of the UNTHSC-FW Faculty Handbook.
- c.) If the offender is a staff member or a paid student assistant on the project, the procedures to be followed in determining penalties are those specified in Policy 05.901.
- d.) If the offender is a student, the procedures to be followed in determining penalties are specified in the current Student Handbook.

In all cases, due process procedures are to be followed.

4. **Program Review:** The health science center will conduct a biennial review of the program to: Human Resource Services
- a.) Determine the effectiveness and implement changes to the program if they are required.
 - b.) Ensure that sanctions for violations are consistently enforced.

References and Cross-references.

Drug-Free Work Place Act of 1988.

Drug-Free Schools and Communities Act of 1989.

05.901 Performance Counseling and Discipline Policy

Forms and Tools.

Approved: September 2006

Effective: September 2006

Revised: